

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

2014 JAN 29 AM 10:58

UNITED STATES OF AMERICA

v.

VON SIMMONDS,
a/k/a "Red,"
Defendant.

No. 5:13-cr-42

CLERK
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SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT 1

During in or about winter 2012-2013, in the District of Vermont and elsewhere, defendant VON SIMMONDS, a/k/a "Red," knowingly and willfully conspired with others known and unknown to the Grand Jury to distribute a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance.

(21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(C))

Forfeiture Notice - No. 2

1. The allegations contained in Count 1 of this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. § 853.

2. Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. §§ 846 and 841(a)(1), defendant VON SIMMONDS, a/k/a "Red," shall forfeit to the United States any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses. The property to be forfeited includes, but is not limited to, the following:

(a) \$4503 in U.S. currency seized on or about March 8, 2013.

3. If any forfeitable property described above, as a result of any act or omission of the defendant:


- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty,

the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

(21 U.S.C. § 853)

A TRUE BILL

FOREPERSON


_____(CSN) for
TRISTRAM J. COFFIN
United States Attorney
Rutland, Vermont
January 29, 2014